

**Amendments to the Claims:**

A listing of the entire set of pending claims (including amendments to the claims, if any) is submitted herewith per 37 CFR 1.121. This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims:**

1. (Currently Amended) A data carrier with at least one data recording area ~~(2, 6)~~ in which data recording area ~~(2, 6)~~-data are stored in accordance with a predefined data recording standard,

wherein the data carrier is manufactured to include at least one defective area ~~(3, 7)~~ is designed to be embedded on the data carrier as one of a ring-shaped defective area or a sector-shaped defective area,

which defective area ~~(3, 7)~~ is designed in such a way that it comes into conflict with at least one parameter of the predefined data recording standard, as well as with at least one defect localization area ~~(4, 8)~~ containing position information about the position of the at least one defective area ~~(3, 7)~~ on the data carrier ~~(1, 5)~~,

wherein the at least one defective area is in conflict with the at least one parameter of the predefined data recording standard in such a way that the conflict cannot be rectified by standard-compliant error-correction measures in accordance with the data recording standard,

wherein a defect localization area is physically located before each defective area and provides information about the nature and position of the subsequent defective area, and

wherein the defective area is provided for data access protection.

2. (Currently Amended) A data carrier as claimed in claim 1, wherein ~~characterized in that~~ the parameter of the data recording standard with which parameter the defective area ~~(3, 7)~~ comes into conflict defines a physical parameter of the data carrier.

3. (Currently Amended) A data carrier as claimed in claim 1, wherein ~~characterized in that~~ the parameter of the data recording standard with which parameter the defective area ~~(3, 7)~~ comes into conflict is a logical parameter of the data recording standard.

4. (Cancelled)

5. (Currently Amended) A data carrier as claimed in claim 1, wherein ~~characterized in that~~, in relation to data scanning means ~~(10)~~, the defect localization area ~~(4)~~ is located before the data recording area ~~(2)~~.

6. (Currently Amended) A data carrier as claimed in claim 1, wherein ~~characterized in that~~, in relation to data scanning means ~~(10)~~, there is a defect localization area ~~(4, 8)~~ located before each defective area ~~(3, 7)~~.

7. (Currently Amended) A data carrier as claimed in claim 1, wherein ~~characterized in that~~ at least one defective area ~~(3, 7)~~ contains identification information.

8. (Currently Amended) A data carrier as claimed in claim 7, wherein ~~characterized in that~~ the identification information comprises one or more of the following items, namely a serial number, a personal identification number, a finger print and a digital file, such as an image file.

9. (Currently Amended) A data carrier as claimed in claim 1, wherein ~~characterized in that~~ the position information about the position of the at least one defective area ~~(7)~~ on the data carrier comprises a start position information and on end position information of each of the defective areas along a data track ~~(6a)~~ in the data recording area ~~(6)~~.

10. (Currently Amended) A data carrier as claimed in claim 1, which is an optical data carrier, ~~such as a CD, a CD-ROM or a DVD.~~

11. (Currently Amended) A data playback method of reading data from a data carrier ~~(1, 5)~~ by scanning the data carrier with scanning means (10),

wherein the data are stored in a data recording area ~~(2, 6)~~ of the data carrier in accordance with a predefined data recording standard,

wherein the data carrier is manufactured to include at least one defective area designed to be embedded on the data carrier as one of a ring-shaped defective area or a sector-shaped defective area,

which defective area is designed in such a way that it comes into conflict with at least one parameter of the predefined data recording standard, as well as with at least one defect localization area containing position information about the position of the at least one defective area on the data carrier,

~~wherein at least one defective area (3, 7) is embedded in the data recording area, which defective area (3, 7) is designed in such a way that it comes into conflict with at least one parameter of the predefined data recording standard,~~

wherein the conflict can preferably not be rectified by standard-compliant error-correction measures in accordance with the data recording standard, and

wherein the data carrier has at least one defect localization area ~~(4, 8)~~ containing position information about the position of the at least one defective area ~~(3, 7)~~ on the data carrier, ~~comprising:~~

wherein a defect localization area is physically located before each defective area and provides information about the nature and position of the subsequent defective area,  
and

wherein the defective area is provided for data access protection.

the defect localization area comprising:

[[ - ]] the localization of at least one defective area ~~(3, 7)~~ on the data carrier by reading the position information from the defect localization area ~~(4, 8)~~,

[[ - ]] reading the data from the data recording area ~~(2, 6)~~ when the scanning means (10) scan the data recording area conforming to the standard,

[[ - ]] moving the scanning means ~~(10)~~ to a data reading position adjacent to a defective area ~~(3, 7)~~ in the data recording area ~~(2, 6)~~ if the scanning means are in a defective area.

12. (Currently Amended) A data playback method as claimed in claim 11, ~~wherein characterized in that~~ moving the scanning means via a defective area comprises switching the scanning means to a non-standard scanning mode in which the scanning means receive signals from the defective area which do not conform to the data recording standard.

13. (Currently Amended) A data playback method as claimed in claim 11, ~~wherein characterized in that~~, in relation to the scanning means, the defect localization area (4, 8) is located before the data recording area (2, 6).

14. (Currently Amended) A data playback method as claimed in claim 11, ~~wherein characterized in that~~, in relation to the scanning means, there is a defect localization area (4, 8) located before each defective area (3, 7).

15. (Currently Amended) A data playback method as claimed in claim 12, ~~wherein characterized in that~~ the signals received by the scanning means (10) from the defective area (3, 7) contain identification information.

16. (Currently Amended) A data playback method as claimed in claim 15, ~~wherein characterized in that~~ the identification information comprises one or more of the following items, namely a serial number, a personal identification number, a finger print and a digital file, such as an image file.

17. (Currently Amended) A data playback method as claimed in claim 11, ~~wherein characterized in that~~ the position information about the position of the at least one defective area (7) on the data carrier comprises a start position information and an end position information of each of the defective areas along a data track (6a) in the data recording area (6), and moving of the scanning means (10) is controlled on the basis of this position information.

18. (Currently Amended) A data playback device for reading data from a data carrier (1, 5), wherein the data are stored in a data recording area ~~(2, 6)~~ of the data carrier in accordance with a predefined data recording standard,

wherein the data carrier is manufactured to include at least one defective area designed to be embedded on the data carrier as one of a ring-shaped defective area or a sector-shaped defective area,

which defective area is designed in such a way that it comes into conflict with at least one parameter of the predefined data recording standard, as well as with at least one defect localization area containing position information about the position of the at least one defective area on the data carrier,

~~wherein at least one defective area (3, 7) is embedded in the data recording area (2, 6), which defective area is designed in such a way that it comes into conflict with at least one parameter of the predefined data recording standard,~~

wherein the conflict can preferably not be rectified by standard-compliant error-correction measures in accordance with the data recording standard, and

wherein the data carrier has at least one defect localization area ~~(4, 8)~~ containing position information about the position of the at least one defective area ~~(3, 7)~~ on the data carrier comprising:

[[ - ]] scanning means ~~(10)~~ for scanning the data carrier for the purpose of reading the data from the data recording area ~~(2, 6)~~ and of reading the position information about the position of the defective area ~~(3, 7)~~ from the defect localization area ~~(4, 8)~~,

[[ - ]] scanning control means ~~(25)~~ for controlling the scanning means ~~(10)~~,

[[ - ]] switching means ~~(29)~~ for switching the scanning means ~~(10)~~ and/or the scanning control means ~~(25)~~ between a standard data playback mode and a defective area control mode, depending on the position information about the position of the defective area.

19. (Currently Amended) A data playback device as claimed in claim 18, wherein characterized in that the scanning means ~~(10)~~ are designed to enable reading of identification information from the defective area ~~(3, 7)~~ in the defective area control mode.

20. (Currently Amended) A data playback device as claimed in claim 19, ~~wherein characterized in that~~ comparing means (31) for comparing the identification information with default values are provided.

21. (Currently Amended) A data playback device as claimed in claim 20, ~~wherein characterized in that~~ the comparing means (31) are designed to prevent reading of the data from the data carrier if the identification information does not match the default values.